

**TO BE FILED UNDER SEAL
DESIGNATED CONFIDENTIAL
PURSUANT TO PROTECTIVE ORDER
ENTERED JULY 11, 2006**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PETER ROST,	X	
	:	
Plaintiff,	:	05 Civ. 10384 (GBD) (GWG)
	:	ECF
– against –	:	
	:	NOTICE OF MOTION
PFIZER, INC., <i>et al.</i> ,	:	
	:	
	:	
Defendants.	:	
	X	

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Michael A. Kalish and the exhibits attached thereto, and the memorandum of law filed contemporaneously herewith, Defendants by and through their attorneys, Epstein Becker & Green, P.C., will move this honorable Court at the United States Courthouse, 500 Pearl Street, New York, New York 10007, on such a date and at such a time as the Court sets, for an order (1) granting leave *nunc pro tunc* for service of written discovery requests after the deadline established in the Scheduling Order dated January 31, 2007; (2) compelling Plaintiff Peter Rost (“Rost”) to respond to Defendant Pfizer Inc’s Third Set of Interrogatories and Fifth Request for Production of Documents; and (3) enforcing the subpoena for deposition testimony served upon non-party Tina Forssten by directing that she answer questions Rost’s counsel improperly instructed her not to answer, together with any follow-up questions appropriate to the answers she gives, and for such other relief as is just and proper in the circumstances.

Dated: December 21, 2007

EPSTEIN BECKER & GREEN, P.C.

By: s/ Michael A. Kalish

Ronald M. Green

Barry A. Guryan

Michael A. Kalish

John Houston Pope

250 Park Avenue

New York, NY 10177-0077

(212) 351-4500

*Attorneys for Defendants Pfizer Inc, Pharmacia
Corp, Marie-Caroline Sainpy, Karen Katen, Jeffrey
Kindler, and Henry McKinnell*

TO: Jon W. Green, Esq.
Green, Savits & Lenzo, LLC
35 Airport Road, Suite 350
Morristown, New Jersey 07960
(973) 695-7777
Attorneys for Plaintiff